## COMBINED DECLARATION for PATENT APPLICATION And POWER OF ATTORNEY

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## Nitrosated and Nitrosylated Compounds, Compositions and Methods of Use

This declaration is directed to the international application of which it forms a part.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefit under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Priority Claimed

Priority Foreign Application(s)			Priori	Priority Claimed	
(Number)	(Country)	(Day/Month/Year Fi	// led) Yes	/ / No	
•		ed States code, §119(e) of ar	,		
60/537,918 (Application Serial No.)	<u>January 22</u> (Filing Dat				
international application subject matter of each o manner provided by the material information as	n(s) designating the Unif the claims of this app first paragraph of Title defined in Title 37, Co	ed States Code, § 120 of any sted States of America that i lication is not disclosed in the 35, United States Code, § 1 de of Federal Regulations, § or PCT international filing	s/are listed below and nat/those prior applica 112, I acknowledge th 11.56 which occurred	l, insofar as the ations(s) in the e duty to disclose between the filing	
(Application Serial No.)	(Filing Dat	e) (St	ratus)		
(Application Serial No.)	(Filing Dat	e) (Si	atus)	<del></del>	

The undersigned hereby appoints(s) the following U.S. attorneys and/or agents to prosecute this application and any division, continuation, continuation-in-part, reexamination or reissue applications thereof, and to transact all

business in the Patent and Trademark Office connected therewith:

Radha Iyengar, Ph.D., Reg. No. 44,796, of NitroMed, Inc., 125 Spring Street, Lexington, MA 02421, US; and

all registered practitioners listed at customer number 24395 of Wilmer Cutter Pickering Hale and Dorr LLP, 1455 Pennsylvania Avenue, NW, Washington, DC 20004;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:	James L. Ellis
<u> </u>	1/20/05
First Inventor's signature	Date
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